

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

May 13, 1997

UNITED STATES OF AMERICA,)	
Complainant)	
)	8 U.S.C. 1324a Proceeding
vs.)	
)	OCAHO Case No. 97A00037
VINCE PATEL, A/K/A VINOD PATEL,)	
AND PATEL CORPORATION, D/B/A)	
CORNER LIQUOR STORE,)	
Respondents)	

ORDER GRANTING COMPLAINANT'S MOTION
FOR DEFAULT JUDGMENT

On April 1, 1997, the undersigned issued an Order to Show Cause Why Complainant's Motion For Default Judgment Should Not Be Granted, in which respondent was ordered to show cause why complainant's Motion for Default Judgment, filed on March 3, 1997, should not be granted, or, in the alternative, to have filed an answer comporting with the requirements set forth in the procedural regulations, specifically, 28 C.F.R. § 68.9(c).

A response to that Order was to have been filed no later than April 25, 1997, but to date no responsive pleading has been received. Resultingly, complainant's Motion for Default Judgment is granted.

Accordingly, respondent is found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(A), in the manner alleged in Count I of the Complaint, by having hired the individual named therein for employment in the United States after November 6, 1986, knowing that the individual was an alien unauthorized for employment in the United States.

In addition, respondent is found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(B), in the manner alleged in Count II, by having failed to prepare and/or make available for inspection Forms I-9 for the six (6) individuals named therein, who were hired by respondent for employment in the United States after November 6, 1986.

Respondent is also found to have violated IRCA, 8 U.S.C. § 1324a(a)(1)(B), in the manner alleged in Count III, by having failed to complete section 2 of the Form I-9 within three (3) business days of the hire for the individual named therein, who was hired by respondent for employment in the United States after November 6, 1986.

Accordingly, respondent is ordered to cease and desist from further violations of IRCA, 8 U.S.C. §§ 1324a(a)(1)(A) and 1324a(a)(1)(B), and is further ordered to pay civil money penalty sums of \$1,125 in Count I, \$2,400 in Count II, and \$280 in Count III, or a total civil money penalty of \$3,805.

Joseph E. McGuire
Administrative Law Judge

Appeal Information

This Order shall become the final order of the Attorney General unless, within 30 days from the date of this Order, the Chief Administrative Hearing Officer shall have modified or vacated it. Both administrative and judicial review are available to respondent, in accordance with the provisions of 8 U.S.C. § 1324a(e)(7) and (8), and 28 C.F.R. § 68.53.

CERTIFICATE OF SERVICE

I hereby certify that on this 13th day of May 1997, I have served copies of the foregoing Order Granting Complainant's Motion for Default Judgment to the following persons at the addresses shown, in the manner indicated:

Office of Chief Administrative Hearing Officer
5107 Leesburg Pike, Suite 2519
Falls Church, Virginia 22041
(original hand delivered)

Dea Carpenter, Esquire
Associate General Counsel
Immigration and Naturalization Service
425 "I" Street, N.W., Room 6100
Washington, D.C. 20536
(one copy sent via regular mail)

Joseph Dierkes, Esquire
Immigration & Naturalization Service
9747 North Conant Avenue
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Cathleen Lascari
Legal Technician to
Joseph E. McGuire
Administrative Law Judge
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